

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

## UNITED STATES DISTRICT COURT

OCT 28 2013

for the  
District of New MexicoMATTHEW J. DYKMAN  
CLERKIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)Travis NORDIN  
Date of Birth: 02/13/1989  
SSN: 525-93-6801

Case No.

Bmr 848

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The person known as Travis NORDIN with Date of Birth: 02/13/1989, SSN: 525-93-6801  
located in the \_\_\_\_\_ District of \_\_\_\_\_ New Mexico \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

DNA evidence; to wit; Buccal cell swab, sufficient for DNA analysis, which would be material evidence in a criminal prosecution.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

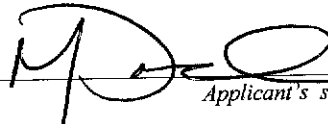
The search is related to a violation of:

Code Section  
Title 18 USC 922(g)(1)Offense Description  
Convicted felon in possession of a firearm

The application is based on these facts:

See attached affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

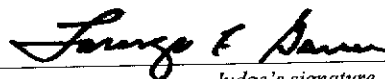
Matthew Pound, Task Force Officer, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/28/2013

City and state: Albuquerque, New Mexico



Judge's signature

LORENZO F. GARCIA  
United States Magistrate Judge

Printed name and title

AUSA  
K3

**AFFIDAVIT FOR SEARCH WARRANT**

- AUSA  
KB
1. Your Affiant's name is Matthew Pound. Your Affiant is a full time salaried law enforcement officer with the Albuquerque Police Department, and has been so for 7 years.
  2. Approximately four of those years have been spent on the investigation of federal felony crimes. Part of your Affiant's duties for the past four years has included being a Task Force Officer for the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.
  3. In this capacity your Affiant routinely investigates violations of federal criminal statutes, to include violation of federal firearms laws, and has specifically investigated violations related to subjects who are found to be in possession of illegal and altered firearms. Your Affiant requests that an Search Warrant be issued for the above named defendant based on the following information, which your Affiant believes to be true and accurate.
  4. I am an investigative, or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), in that I am an officer of the United States who is empowered by law to conduct investigations and make arrests for the offenses enumerated in Titles 18 and 26, United States Code.
  5. The statements contained in this affidavit are based, in part, on information provided by Special Agents and Task Force Officers of the ATF and other law enforcement officers; on conversations held with police officers; and on my background and experience as a Task Force Officer of the ATF.
  6. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

**PROBABLE CAUSE**

7. On June 11, 2013 Albuquerque Police Department (APD) Gang Unit Detective A. Montoya was in the area of 5<sup>th</sup> St. NW and San Lorenzo Rd NW working in an undercover capacity.
  8. Det. Montoya observed a silver in color Dodge sedan on San Lorenzo and observed the sedan to be occupied by a male driver and female passenger.
- JFA  
MFP

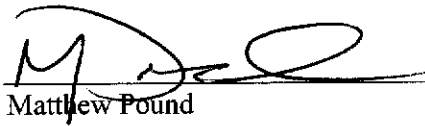
9. Det. Montoya was able to identify the driver as Travis NORDIN who Det. Montoya knew to have outstanding felony warrants.
10. Det. Montoya contacted other APD Gang Unit Detectives to come to the area in order to affect the arrest of NORDIN.
11. Once other Detectives arrived in the area NORDIN was taken into custody without incident.
12. Once NORDIN was in custody, Det. Montoya observed a firearm inside the vehicle on the passenger floor board.
13. Det. Montoya had the vehicle sealed at this point pending the execution of a State of New Mexico Search Warrant.
14. Det. Montoya next interviewed the female passenger of the vehicle, Ms. Alyssa Herrera.
15. Herrera told Det. Montoya that when NORDIN saw Detectives coming to arrest him, NORDIN threw the firearm at Herrera and told Herrera that NORDIN would bail Herrera out if Herrera got in trouble for the firearm.
16. Herrera told Det. Montoya that at no time did she touch the firearm and that NORDIN had just picked Herrera up from Herrera's residence. Herrera told Det. Montoya that the only property inside the vehicle that belonged to Herrera was a purse.
17. On June 13, 2013 Det. Montoya executed the search warrant on the vehicle, a 2010 Dodge Avenger with New Mexico License Plate 425 RKC.
18. Upon executing the Search Warrant Det. Montoya recovered the firearm from the floor board of the passenger seat and at this point observed the serial number for the firearm to have been removed.
19. The firearm is described as a Walther, model PPK/S, .380 caliber semiautomatic pistol with an obliterated serial number. The firearm was found to be loaded with seven (7) rounds of CCI brand .380 caliber cartridge ammunition.
20. Det. Montoya contacted TFO Pound in reference to the arrest of NORDIN.
21. TFO Pound conducted a criminal history query of NORDIN and found NORDIN to be a previously convicted felon who is prohibited from possessing firearms.
22. TFO Pound examined and test fired the firearm and found the firearm to fire and function as designed. The firearm meets the definition of a firearm as defined in Title 18, Chapter 44 of the United States Code.

ALISA  
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23. Travis NORDIN has been previously convicted of a felony in YR-2006-00036 (Armed Robbery), NORDIN was sentenced as youthful offender following the conviction for Armed Robbery in cause YR-2006-00036 and imprisoned in the New Mexico Department of Corrections.
24. NORDIN's conviction was in the Second Judicial District Court, County of Bernalillo, State of New Mexico.
25. Based on your Affiant's training and experience as a law enforcement officer, your Affiant is confident the firearm in the vehicle was likely possessed by NORDIN. NORDIN was the driver of the vehicle and the person most closely associated with the registered owner of the vehicle. The registered owner of the vehicle was interviewed and did admit to a personal relationship with NORDIN. The registered owner of the vehicle is not a prohibited person. The registered owner of the vehicle told your Affiant that the registered owner does not own any firearms and has never placed any firearms in the vehicle previously. The registered owner of the vehicle told your Affiant that any firearm found in the vehicle would not belong to the registered owner. Furthermore, your Affiant knows it is common for an individual's DNA to be transferred to items handled by that individual; in this case the item is a firearm. Based upon these facts, your Affiant respectfully requests that a search warrant be issued for Travis NORDIN, to collect a sample of buccal cells for forensic analysis and for use as evidence in court as your Affiant opines there is probable cause to suggest Travis NORDIN previously and unlawfully handled the above firearm.

Respectfully submitted,



Matthew Pound  
Task Force Officer  
ATF

Subscribed and sworn to before me  
on October 28, 2013:



UNITED STATES MAGISTRATE JUDGE

AUSA  
KB